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*Attorneys for Irving H. Picard, Esq., Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF ADJOURNMENT OF BRIEFING SCHEDULES**

**PLEASE TAKE NOTICE** that Martin M. Surabian, Richard Surabian and Steven Surabian (the “Surabians”) submitted the following pleadings to the Court:

- Motion to File Late Opposition to Trustee's Third Omnibus Motion to Expunge Claims

and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS, on January 2, 2013 [Docket No. 5186] (“Motion To File Late Objection to Expungement Motion”).

- Motion to File Late Appeal of Order Granting Approval [of Trustee’s Third Omnibus Motion], on January 2, 2013 [Docket No. 5186] (“Motion to File Late Appeal of Expungement Order”).<sup>1</sup>
- Objection to Trustee’s Third Omnibus Motion to Expunge Claims and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS, on January 2, 2013 [Docket No. 5187] (“Objection to Expungement Motion”).<sup>2</sup>
- Motion to subpoena Bernard L. Madoff on January 2, 2013 [Docket No. 5188] (“Motion To Subpoena Madoff”)
- Motion to Vacate Order and Judgment of Trustee’s Third Omnibus Motion to Expunge Claims and Objections of Claimants that Did Not Invest with BLMIS or in Entities that Invested in BLMIS Regarding the Surabians Claims, on January 22, 2013 [Docket No. 5206] (“Motion To Vacate Expungement Order”).
- Motion to File Late Appeal of the Order Approving the Trustee’s Motion for an Order Granting the Second Interim Distribution to Customers of BLMIS on January 7, 2013 [Docket No. 5209] (“Motion To File Late Appeal of Second Interim Distribution Order”)

**PLEASE TAKE FURTHER NOTICE** that counsel for the Trustee contacted Steven Surabian on January 24, 2013 and he agreed on behalf of the Surabians that the briefing schedule

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<sup>1</sup> The Motion to File Late Appeal of Expungement Order was included in the same document as the Motion For Late Filed Objection [Docket No. 5186].

<sup>2</sup> The Trustee and SIPC have no objection to the Court treating the Objection to Expungement Motion as an exhibit to the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff.

be revised as described herein.<sup>3</sup>

**PLEASE TAKE FURTHER NOTICE** that the Trustee's time to respond to the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff shall be on or before February 28, 2013.

**PLEASE TAKE FURTHER NOTICE** that the Securities Investor Protection Corporation's time to respond to the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff shall be on or before February 28, 2013.

**PLEASE TAKE FURTHER NOTICE** that the Surabians time to file reply briefs relating to the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff shall be on or before March 14, 2013.

**PLEASE TAKE FURTHER NOTICE** the hearings on the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff will take place on March 20, 2013, at 10:00 a.m.

**PLEASE TAKE FURTHER NOTICE** that hearings on the Motion To File Late Objection to Expungement Motion, the Motion To Vacate Expungement Order and the Motion To Subpoena Madoff will be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, United States Bankruptcy Court, One Bowling Green, New York, New York 10004, Courtroom 623.

**PLEASE TAKE FURTHER NOTICE** that the briefing schedules and hearings on the Motion to File Late Appeal of Expungement Order, the Motion To File Late Appeal of Second

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<sup>3</sup> The Surabians previously filed a notice of motion to vacate the order granting the Trustee's motion to expunge the Surabians' claims and objections on January 22, 2013 [Docket No. 5207], and a notice of motion to file late opposition to the order granting the Trustee's motion on the second interim distribution to subpoena Bernard L.

Interim Distribution Order, and the Objection to Expungement Motion shall be set for status conference on **March 20, 2013, at 10:00 a.m.**, and the Trustee's time to respond to, and the hearing dates for, the Motion to File Late Appeal of Expungement Order, Motion To File Late Appeal of Second Interim Distribution Order, and the Objection to Expungement Motion, will be adjourned to such time as the parties agree or the Court determines.

Dated: New York, New York  
January 30, 2013

*s/ David J. Sheehan*

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Madoff on January 22, 2013 [Docket No. 5210]. These notices specified that written objections be filed no later than January 31, 2013 and replies be filed no later than February 11, 2013.